IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE J.M.JAMES

FRIDAY, THE 11TH AUGUST 2006 / 20TH SRAVANA 1928

Bail Appl..No. 4941 of 2006

AGAINST THE ORDER IN LP.NO.84 OF 2005 IN CC.412/2003 of J.M.F.C.-I, PERINTHALMANNA

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PETITIONER

BASHEER, S/O.IBRAHIM,
VALLIYATHODI VEEDU, PATTERKALAM,
MOORKKANAD, MALAPPURAM DISTRICT.

BY ADV. SRI.K.M.SATHYANATHA MENON

RESPONDENTS:

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1. THE SUB INSPECTOR OF POLICE,
KOLATHUR POLICE STATION, KOLATHUR,
MALAPPURAM DISTRICT.

2. THE STATE OF KERALA, REPRESENTED BY
THE PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
HIGH COURT BUILDINGS, HIGH COURT ROAD,
ERNAKULAM, COCHIN-682 031.

BY PUBLIC PROSECUTOR K. RAVIKUMAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 11/08/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

J.M.JAMES, J.

B.A. 4941/2006

DATED THIS THE 11TH DAY OF AUGUST, 2006

O R D E R

The petitioner is before this court, under Section 438 Cr.P.C., praying that he may be allowed to be on bail, as he is prepared to surrender before the Court below, where the case against him is split up and pending as L.P.No.84/2005, on the file of the Judicial Magistrate of First Class-I, Perinthalmanna.

2. The counsel submitted that the petitioner did not receive any summons and he was not aware of the registration of the crime against him. The learned Public Prosecutor submitted that there is no material to that effect, in the instructions supplied to him.

3. In the above facts situation of the case, I direct the petitioner to surrender before the Court below on 18.8.2006 at 11.00 a.m., and move an application for bail, after serving copy of the same to the APP of that Court, well in advance. The learned Magistrate, in the event of

his arrest, shall consider the bail application and pass orders on it, on the same day itself.

The application is disposed of as above.

J.M.JAMES
JUDGE

mrcs